

Salisbury Police Department

Thomas W. Fowler, *Chief of Police*

181 Beach Road, Salisbury, Massachusetts 01952 • 978-465-3121 • www.salisburypolice.com

May 23, 2018

Officer Patrick Szymkowski
181 Beach Road
Salisbury, MA 01952

Dear Officer Szymkowski,

This department has initiated an internal investigation into allegations concerning your behavior [redacted] in Georgetown incident report 18-147-OF, which is attached, involving [redacted]. This report was filed on April 13, 2018 at the Georgetown Police Department. While this investigation is being carried out I am taking the following actions concerning your status.

You are hereby advised that upon service of this notice you are being placed on paid administrative leave status until I have notified you that the investigation is completed or I have rendered a decision of whether to recommend discipline up to and including termination of your employment with the Town of Salisbury.

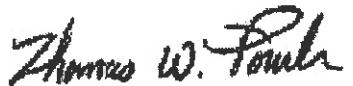
During the time that you are on paid administrative leave you are not authorized to exercise any police powers, nor are you authorized to act in any manner thereof, in the capacity of a police officer. While on paid administrative leave you are not authorized to enter the confines of the Salisbury Police Station unless accompanied by the Officer in Charge. You are restricted from accessing any departmental computer, report, document or file.

Upon receipt of this notice you are to immediately return your department firearms badges and Commonwealth of Massachusetts police ID to Lieutenant King or his designee.

Additionally, you are ordered to have no contact with [redacted] date of birth [redacted] who resides at [redacted]. This order of no contact includes all forms of electronic communications as well as going to the abovementioned address.

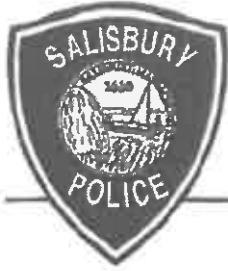
Thank you for your attention.

Very truly yours,



Thomas W. Fowler
Chief of Police

Cc: Neil Harrington, Town Manager
LA file



Salisbury Police Department

Thomas W. Fowler, *Chief of Police*

181 Beach Road, Salisbury, Massachusetts 01952 • 978-465-3121 • www.salisburypolice.com

May 24, 2018

Officer Patrick Szymkowski
181 Beach Road
Salisbury, MA 01952

Dear Officer Szymkowski:

This department initiated an internal investigation into allegations concerning your behavior documented in Georgetown incident report 18-147-OF. During this investigation you were placed on paid administrative leave effective May 23, 2018.

The investigation portion of this process has been completed with your interview by myself and Lieutenant King on this date. The investigation did not disclose any compelling reasons for you to remain on paid administrative leave therefore, you are hereby returned to full duty without any restrictions.

If you have any questions, please don't hesitate to call.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas W. Fowler".

Thomas W. Fowler
Chief of Police

Copy: Neil Harrington, Town Manager
IA file

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT

10th Circuit - Family Division - Brentwood
PO Box 1208
Kingston NH 03848-1208

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>

ORDER ON DVP/STALKING DENIAL
OR NO TEMPORARY ORDERS

Case Number: 618-2018-DV-00078

PNO:

Patrick Szymkowski
Plaintiff

V. Destinie Berard
Defendant

Def Date of Birth

ORDER

PETITION DENIED AND CASE DISMISSED for the following reasons:

NO TEMPORARY ORDERS ARE ISSUED. However, THIS CASE SHALL BE SCHEDULED FOR A HEARING with plaintiff and defendant present, as set forth below (see NOTICE OF HEARING).

Recommended:

May 30, 2018

Date

Signature of Marital Master

Printed Name of Marital Master

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

Date

1-855-212-1234

Telephone Number of Court

Signature of Judge

Mark F. Weaver

Print / Type Name of Judge

NOTICE OF HEARING

NOTICE TO LAW ENFORCEMENT: Please serve this NOTICE OF HEARING on the defendant named in this petition. This case is scheduled for a hearing at the above court on _____ at _____. The plaintiff and defendant are hereby summoned to appear at the hearing. The court will hear testimony from both parties. One half hour will be allotted for this hearing.

If you will need an interpreter or other accommodations for this hearing, please contact the court immediately.

Please be advised (and/or advise clients, witnesses, and others) that it is a Class B felony to carry a firearm or other deadly weapon as defined in RSA 625.11, V in a courtroom or area used by a court.

Date

LoriAnne Hensel, Clerk of Court

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT

RECEIVED

10th Circuit-Family Division-Brentwood
P.O. Box 1208
Kingston, NH 03848-1208

MAY 30 2018
Telephone: (603) 222-1234
TTY/TDD Relay: (800) 735-2964
10th Circuit Court of Appeals
<http://www.court.state.nh.us>

REQUEST/ORDER FOR WITHDRAWAL OF
DOMESTIC VIOLENCE OR STALKING PROTECTIVE ORDER

Case Numbers: 618-2018-DV-78
Court ORI: NH008293J

PNO _____

Patrick Szymkowski

Plaintiff

Pf Date of Birth

v. Destinii Berard

Defendant

Def Date of Birth

I, Patrick Szymkowski, wish to have my Protective Order withdrawn. This request is made voluntarily and without duress, undue pressure, or threats being made to me. I understand that by withdrawing the Protective Order, I will no longer be protected by any orders issued in this case. I also understand that this withdrawal does not prevent me from applying for a new Protective Order in the future, if necessary.

5/30/18
Date

Pat Szymkowski
Plaintiff Signature

ORDER

Plaintiff's request to withdraw the Protective Order is APPROVED and the orders are VACATED.
 Plaintiff's request to withdraw the Protective Order is DENIED.

THIS ORDER DOES NOT VACATE ANY CONDITIONS IMPOSED IN CRIMINAL MATTERS BEFORE A COURT OF COMPETENT JURISDICTION.

Recommended:

Date

Signature of Marital Master

Printed Name of Marital Master

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

5/30/18
Date

Mark Weaver
Signature of Judge

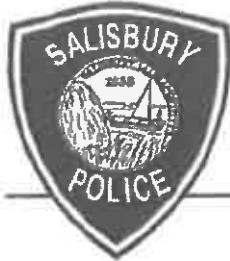
Mark F. Weaver

Printed Name of Judge

Given in hand


NHJS-2046-DF (02/14/2013)

Page 1 of 1



Salisbury Police Department

Thomas W. Fowler, *Chief of Police*

181 Beach Road, Salisbury, Massachusetts 01952 • 978-465-3121 • www.salisburypolice.com

May 30, 2018

Officer Patrick Szymkowski
Salisbury Police Department
181 Beach Road
Salisbury, MA 01952

Dear Officer Szymkowski,

The Salisbury Police Department conducted an internal investigation concerning your behavior documented in Georgetown incident report 18-147-OF, involving [REDACTED]. This report was filed on April 13, 2018 at the Georgetown Police Department.

On or about June 30, 2016 it came to my attention that you were [REDACTED]. [REDACTED] It was reported that she went to the Georgetown Police Department asking about her options for a restraining order. That incident was investigated and on June 30, 2016, Lieutenant King conducted a formal, verbal counseling session with you. At that time you assured us that you would conduct yourself in a more ethical manner both on and off duty.

On April 13, 2018 [REDACTED] again went to the Georgetown Police Department inquiring about her options for a restraining order. As soon as I became aware of this incident and the fact that you were [REDACTED] you were placed on paid administrative leave. That was on Wednesday May 23, 2018.

On Thursday May 24, 2018 a fact finding meeting was conducted in my conference room. Present at that meeting were you, Lieutenant King and myself. During that meeting it was determined that you [REDACTED]

████████████████████ was counselled in 2016 about this behavior. Additionally, you stated that you thought ██████████ may have gone to the Georgetown Police Department yet you failed to notify me or Lieutenant King.

I have concluded that you have violated the Department's Rules of Conduct Policy (DISC-1). Additionally, you violated the Department's Domestic Violence & Criminal Harassment Policy (VWA-2) for not reporting that you may have been subject of a police investigation in Georgetown. These charges have been sustained and supported by sufficient evidence.

On Tuesday May 29, 2018 we met again in my conference room with Lieutenant King to discuss a resolution to the abovementioned policy violations. You were offered and accepted the following resolution to this matter.

As of the signing of this agreement, you will be suspended from police duty for two (2) days. This suspension will be held in abeyance for a period of two (2) years. You will conduct yourself in a manner as to reflect most favorably on the Department.

If you are found in violation of these same policies in the future, I may, in my discretion, recommend to the Town Manager that your employment with the Town be terminated. Further, keep in mind that any future violations of department rules and regulations will result in discipline, up to and including further suspension without pay or termination of employment.

After the two (2) year period, and if no other similar policy violations arise, the two (2) day suspension will be reduced to a written reprimand.

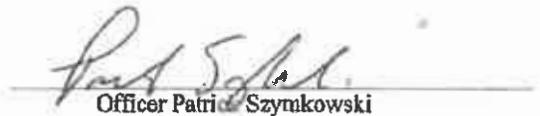
A copy of this letter will be placed in your personnel file. I want to thank you for your honesty and candor during this process.

Very Truly Yours,

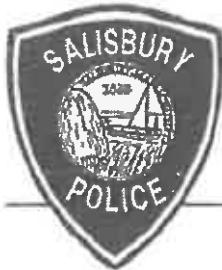


Thomas W. Fowler
Chief of Police

Agreed to on: May 31, 2018
Date


Officer Patricia Szymkowski

Copies: Neil Harrington, Town Manager
NEPBA Local 15
Personnel File



Salisbury Police Department

Thomas W. Fowler, *Chief of Police*

181 Beach Road, Salisbury, Massachusetts 01952 • 978-465-3121 • www.salisburypolice.com

June 6, 2018

Officer Patrick Szymkowski
Salisbury Police Department
181 Beach Road
Salisbury, MA 01952

Dear Officer Szymkowski,

The Salisbury Police Department conducted an internal investigation concerning your behavior documented in Georgetown incident report 18-147-OF, involving [REDACTED]. This report was filed on April 13, 2018 at the Georgetown Police Department.

On Tuesday May 29, 2018 we met in my conference room with Lieutenant King to discuss a resolution to the abovementioned matter. You were offered and accepted the following resolution to this matter. You will be suspended from police duty for two (2) days. This suspension will be held in abeyance for a period of two (2) years. You will conduct yourself in a manner as to reflect most favorably on the Department. It was also agreed that if there were any similar violations in the future the suspension would be served and there may be additional discipline administered.

On May 30, 2018 I received an email from [REDACTED] that included three (3) Salisbury Police mug shots and a photo of evidence seized in a civil marijuana case. She claimed that they were forwarded to her by you in late 2014.

On Tuesday June 5, 2018 we met in my conference room with Lieutenant King to discuss this newly disclosed information. You admitted that you sent [REDACTED] the photos and admitted it was extremely poor judgement. You also assured us there were no other similar photos that were sent to her.

The disclosure of these photos to a civilian who has no association with the Salisbury Police Department is a gross violation of department policy. Specifically, it violated the Department Code of Conduct and Responsibility Policy (DISC-1). More specifically, Section G. Public Statements, subsection 4. Dissemination of Official Information section a. which states:

"Employees shall treat as confidential that information which is confided to them personally in the course of their official duties. They shall disclose such information only as required in the proper performance of their duties"

Additionally section b:

"Employees shall neither disclose nor use for their personal interest any confidential information acquired by them in the course of their official duties."

Also section c:

"Employees shall treat as confidential all matters relating to investigations, internal affairs, and personnel."

You are hereby charged with violating the abovementioned policies. These charges have been sustained and supported by sufficient evidence.

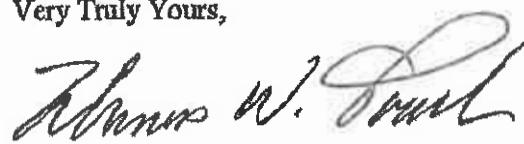
As a result of these charges and in accordance to the resolution agreement dated May 30, 2018 you are hereby suspended without pay from duty from Monday June 18, 2018 to Tuesday June 19, 2018. During this time you may not represent yourself or act as a police officer in any capacity and you will not be eligible for any overtime or detail work.

If you are found in violation of these same policies in the future, I may, in my discretion, recommend to the Town Manager that your employment with the Town be terminated. Further,

keep in mind that any future violations of department rules and regulations will result in discipline, up to and including further suspension without pay or termination of employment.

A copy of this letter will be placed in your personnel file. I want to thank you for your honesty and candor during this process.

Very Truly Yours,



Thomas W. Fowler
Chief of Police

Copies: Neil Harrington, Town Manager
 NEPBA Local 15
 Personnel File

1 STATE OF NEW HAMPSHIRE

2 10TH CIRCUIT COURT - FAMILY DIVISION - BRENTWOOD

3
4 IN THE MATTER OF:) Supreme Court Case No.
5 PATRICK SZYMKOWSKI,) 2021-0374
6 Petitioner,)
7 vs.) Family Division Case No.
8 DESTINIE BERARD,) 618-2018-DV-00084
9 Respondent.)
10)
11) Brentwood, New Hampshire
12) July 11, 2018
13) 1:17 p.m.
14)
15)
16)
17)
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19)
20)
21)
22)
23)
24)
25)

10 HEARING ON RELIEF FROM ABUSE
11 BEFORE THE HONORABLE MARK WEAVER
12 JUDGE OF THE CIRCUIT COURT - FAMILY DIVISION

13 APPEARANCES:

14 Pro Se Petitioner: Patrick Szymkowski
15 (Unknown Address)

16
17
18
19 Audio Operator: Electronically Recorded

20 by **Not Monitored**

21 TRANSCRIPTION COMPANY: eScribers, LLC
22 7227 N. 16th Street, Suite 207
23 Phoenix, AZ 85020
24 (800) 257-0885
25 www.escribers.net

Proceedings recorded by electronic sound recording; transcript
produced by court-approved transcription service.

